

DELEGATION OF AUTHORITY

DATE: 4-10-17

COMPREHENSIVE ENVIRONMENTAL RESPONSE,
COMPENSATION, AND LIABILITY ACT

14-14C. Administrative Actions through Consent Orders

1. PURPOSE AND LEGAL AUTHORITY.

A. Purpose.

- a. To redelegate the authority contained in Delegation 14-14C issued by EPA Headquarters on January 18, 2017.

B. Authority. After giving notice to the affected State, to take administrative action, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, including Sections 104, 106, and 122, including, but not limited to, issuing such orders on consent as may be necessary to protect public health and welfare and the environment.

2. TO WHOM DELEGATED. The Director, Office of Site Remediation and Restoration (OSRR).

3. REDELEGATION AUTHORITY.

A. This authority may be redelegated to the Section Chief level, or equivalent, and no further.

B. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

4. LIMITATIONS.

A. This authority does not include recovery of response costs under CERCLA Section 122(h) or settlements with de minimis parties under CERCLA Section 122(g).

B. The Director, OSRR, shall obtain the advance concurrence of the Manager, Legal Enforcement Office, Office of Environmental Stewardship (OES), or his/her designee, on the legal sufficiency of the action before exercising this authority. The Manager, Legal Enforcement Office, OES, or his/her designee, may waive concurrence in writing.

C. The Manager, Legal Enforcement Office, OES, or his/her designee, is responsible for any necessary consultation with the Regional Counsel, or his/her designee, regarding significant counseling issues.

D. The Director, OSRR, should exercise this authority consistent with the most recent version

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of the *OECA/OSRE CERCLA and RCRA/CWA/UST Roles Chart*, or successor documents, as appropriate.

E. This authority may not be redelegated without the concurrence of the Regional Directives Officer, Human Resources Office, Office of Administration and Resource Management.

5. ADDITIONAL REFERENCES.

A. Applicable U.S. Environmental Protection Agency guidance and directives.

B. Authority to enter into or exercise EPA concurrence authority for non-judicial cost recovery agreements or administrative orders under CERCLA Section 122(h) is delegated in Agency Delegation 14-14D, *Cost Recovery Non-Judicial Agreements and Administrative Consent Orders*.

C. Authority to enter into or exercise Agency concurrence authority in de minimis settlements under CERCLA Section 122(g) is delegated in Agency Delegation 14-14E, *De Minimis Settlements*.

6. SUPERSESSON. Region I Delegation 14-14C, dated September 3, 1996.



Deborah A. Szaro
Acting Regional Administrator

4/10/17
Date